

## REMARKS

### **Status of Claims**

The Office Action mailed 21 March 2007 has been received and reviewed. Each of claims 8-16 stand rejected. Claims 1-7 and 17-26 are withdrawn and claim 8 is amended. Reconsideration of the present application in view of the amendment above and the following remarks is respectfully requested.

### **Objection to the Drawings**

The Office objected to FIG. 5 for inconsistency with respect to claim 8. A replacement sheet amending FIG. 5 is submitted to overcome this rejection. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

### **Rejections based on 35 U.S.C. § 102(e)**

#### **A.) Applicable Authority**

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdeggal Brothers v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, MPEP § 2131.

#### **B.) Anticipation Rejection Based on U.S. Patent No. 6,785,696 (“Mosher”)**

Claims 8-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Mosher. This rejection is respectfully traversed because the prior art does not disclose all elements of amended independent claim 8.

With respect to amended independent claim 8, Applicant respectfully submits that the cited prior art, including Mosher, fails to describe, among other things, the following amended claim element: “receiving a network configuration transaction for one or more telecommunications devices, wherein the network configuration transaction comprises one or more predetermined substeps for each telecommunications device,” as recited in amended independent claim 8.

Mosher is directed to a failover system that provides a backup database system to a primary database system when the primary database system fails during a distributed transaction. Mosher describes a “Master Audit Trail” in FIG. 4 and col. 5, l. 60-col. 6, l. 10. Mosher utilizes the “Master Audit Trail” to rollback to a state prior to failure of the primary database. Mosher fails to disclose the network configuration transaction and updating the second table with statuses for the network configuration transactions as specified in amended independent claim 8.

Unlike Mosher, the invention of amended independent claim 8 processes a network configuration transaction associated with a telecommunications device, i.e., a switch. Transaction statuses corresponding to substeps of the network configuration transaction are stored in a second table storing transaction-dependent data. The transaction statuses provide an indication of progress for each substep of the network configuration transaction. Mosher fails to fairly describe each element of amended independent claim 8. Accordingly, for at least the above reasons the anticipation rejection of amended independent claims 8 should be withdrawn and claim 8 should be allowed.

Dependent claims 9-16 further define novel features of the invention of amended independent claim 8 and each depend either directly or indirectly, from amended independent claim 8. Accordingly, for at least the reasons set forth above with respect to amended

independent claim 8, dependent claims 9-10 and 12-16 are believed to be in condition for allowance by virtue of their dependency. *See*, 37 C.F.R. 1.75(c). As such, withdrawal of the anticipation rejection of dependent claims 9-16 and allowance of dependent claims 9-16 are respectfully requested.

## CONCLUSION

For the reasons stated above, claims 8-16 are now in condition for allowance. Applicant respectfully requests withdrawal of the pending rejections and allowance of claims 8-16. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action. The Commissioner is hereby authorized to charge any additional amount required (or to credit any overpayment) to Deposit Account No. 21-0765.

Respectfully submitted,

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